



DEPARTMENT OF CONSERVATION
STATE OF CALIFORNIA

REMINDER

May 14, 2003

DIVISION OF
RECYCLING

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GRAY DAVIS
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TO: All Certified Processors

SUBJECT: CANCELLATION REQUIREMENTS FOR ALUMINUM
AND PLASTIC BEVERAGE CONTAINERS

A certified processor must take the actions necessary and approved by the Department to cancel containers to render them unfit for redemption (Public Resources Code (PRC) Section 14539(b)(7)). Cancellation means the act of removing the refund value of an empty beverage container by any of the methods cited in Title 14 of the California Code of Regulations (14CCR), Section 2000(a)(4).

One of the methods of cancellation for aluminum empty beverage containers is the delivery of the containers to a location of end use, after being densified to no less than 15 lbs. per cubic foot. **It has come to our attention that certified processors sell aluminum used-beverage containers to companies based in California that are end-users, without meeting the minimum densification requirement of fifteen pounds per cubic foot.** Please be advised that failure to meet this requirement may result in denial of your claims on loads that were not properly cancelled.

These requirements are stated in Title 14 of the California Code of Regulations (14CCR), Section 2000(a)(4), 2420(d)(1), (2), (3), as well as PRC, Section 14539.

Plastic empty beverage containers shall be deemed canceled when such containers are delivered to a location of end use and the delivery verified pursuant to 14CCR Section 2420(d)(2). For shipments of any material types out of the State or to a location of end use, the proof of cancellation shall include a receipt issued by the person receiving the shipment and any applicable bill of lading.

For shipments by sea, the proof of cancellation by export from the state must be the on-board bill of lading. **All processors must maintain copies of the on-board bill of lading in their files, pursuant to CCR. Section 2420(d)(1).**

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Furthermore, all bills of lading must be clear, legible and valid as required by 14CCR, Section 2420(d)(1), (2) and (3). **The processor's responsibility does not end with the mere delivery of the material to the dock. It continues until such material permanently leaves the State of California.**

It is the responsibility of processors to provide assurance and verification that redeemed beverage container materials are canceled. **Failure to properly cancel redemption materials and/or prepare and maintain required documentation of cancellation will result in civil penalties or other disciplinary action.**

Jim Ferguson
Assistant Director
for Recycling